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DATE MAILED: 08/22/2005

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/842,089	04/26/2001	Jae Kyung Lee	P-221	6949	
34610 7	590 08/22/2005		EXAMINER		
FLESHNER & KIM, LLP			NATNAEL, PAULOS M		
P.O. BOX 2217 CHANTILLY,			ART UNIT	PAPER NUMBER	
**************************************			2614		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Anni	cation No.	Applicant(s)				
Office Action Summary				LEE ET AL.				
		Exan	42,089	Art Unit	1			
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	The MAILING DATE of this commun		os M. Natnael  n the cover sheet with the	2614	ddress			
Period fo		ioddoir appears o	ir are devel anest with the t		24.000			
THE - Exte after - If the - If NO - Failu Any	ORTENED STATUTORY PERIOD F MAILING DATE OF THIS COMMUN nsions of time may be available under the provisions SIX (6) MONTHS from the mailing date of this comn period for reply specified above is less than thirty (3 period for reply is specified above, the maximum st re to reply within the set or extended period for reply reply received by the Office later than three months a ed patent term adjustment. See 37 CFR 1.704(b).	CATION. of 37 CFR 1.136(a). In nunication. 0) days, a reply within the atutory period will apply will, by statute, cause the	no event, however, may a reply be ting the statutory minimum of thirty (30) day and will expire SIX (6) MONTHS from the application to become ABANDONE	nely filed  /s will be considered time the mailing date of this of ED (35 U.S.C. § 133).	ely. communication.			
Status								
1)	Responsive to communication(s) file	ed on <i>08 June 20</i>	05.					
· ·	2a) This action is <b>FINAL</b> . 2b) ⊠ This action is non-final.							
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	on of Claims							
5)⊠ 6)⊠ 7)□	<ul> <li>Claim(s) 1,3-8,10,11 and 13-17 is/are pending in the application.</li> <li>4a) Of the above claim(s) is/are withdrawn from consideration.</li> <li>Claim(s) 1,3-8 and 10 is/are allowed.</li> <li>Claim(s) 11 and 13-17 is/are rejected.</li> <li>Claim(s) is/are objected to.</li> <li>Claim(s) are subject to restriction and/or election requirement.</li> </ul>							
Applicat	on Papers							
9)[	The specification is objected to by th	e Examiner.						
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  1) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority ι	ınder 35 U.S.C. § 119							
a)l	Acknowledgment is made of a claim  All b) Some * c) None of:  1. Certified copies of the priority  2. Certified copies of the priority  3. Copies of the certified copies application from the Internations of the attached detailed Office actions.	documents have documents have of the priority doc nal Bureau (PCT	been received. been received in Application cuments have been received Rule 17.2(a)).	ion No ed in this National	Stage			
Attachmen	t(s)							
_	e of References Cited (PTO-892)		4) Interview Summary	(PTO-413)				
3) 🔲 Inforr	e of Draftsperson's Patent Drawing Review (P nation Disclosure Statement(s) (PTO-1449 or r No(s)/Mail Date		Paper No(s)/Mail Di 5) Notice of Informal F 6) Other:	ate	O-152)			

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#### **DETAILED ACTION**

### Claim Rejections - 35 USC § 112

- 1. The following is a quotation of the second paragraph of 35 U.S.C. 112:
  - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 2. Claims 11,13-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

While the specification and claims variously disclose "OSD program", "OSD set menu", "OSD set key signal", etc. in claim 11, the claimed "generating a user OSD" is not clear whether it's referring to a user OSD set "menu", a user OSD "program", or a user OSD set "key signal", etc., rendering the claim indefinite.

## Allowable Subject Matter

- 3. Claims 1,3-8, and 10 are allowed.
- 4. Claim 11 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- 5. Claims **13-17** would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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The following is a statement of reasons for the indication of allowable subject 6. matter: the prior art fails to discloses the combination of the following system for controlling a TV having an Onscreen display function, comprising: a service site server configured to provide a user OSD set menu and an OSD generation program which corresponds to original information of a TV, wherein a first OSD generation program is configured to provide a plurality of language selections and a plurality of viewing and display processing format selections; a control unit configured to receive the user OSD set menu and OSD generation program from the service site server and to generate a corresponding OSD; a storing unit configured to store the original information, contact information for contacting to the service site server, and the first OSD generation program which corresponds to the original information, wherein the control unit is configured to contact the service site server using the contact information, stored in the storing unit, and to store a second OSD generation program which corresponds to an OSD set menu selected by a user from a plurality of user OSD set menus stored in the storing unit; and, a video processing unit configured to display the OSD generated by the control unit on a screen, as in claim 1;

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#### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Paulos M. Natrael Primary Examiner

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PMN August 17, 2005